

1  
2  
3  
4  
5  
6  
7 UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

10 WIFI RAIL, INC., a Delaware Corporation,

11 Plaintiff,

12 v.

13 SAN FRANCISCO BAY AREA RAPID  
14 TRANSIT DISTRICT, and DOES 1 through 10,  
15 inclusive,

16 Defendants.  
17

Case No.: 3:18-cv-02269-EDL

**[PROPOSED] ORDER GRANTING  
MOTION TO REMAND**

Hearing: May 29, 2018

Time: 9:00 a.m.

Courtroom: E

Judge: Magistrate Elizabeth D. Laporte

18  
19 The plaintiff WIFI Rail, Inc. brings a motion to remand this action to the Superior Court in  
20 and for the County of Alameda, pursuant to 28 U.S.C. § 1447, for lack of federal subject matter  
21 jurisdiction. The plaintiff also moves for its costs and expenses incurred in bringing the motion,  
22 pursuant to 28 U.S.C. § 1447(c).

23 After considering the moving papers, opposition and reply papers, the arguments of counsel,  
24 and all other matters presented to the Court, and good cause appearing therefor;

25 ///

26 ///

27 ///

1 IT IS HEREBY ORDERED THAT the motion to remand is GRANTED and fees and costs  
2 are awarded to the plaintiff WIFI Rail, Inc. in the amount of \$\_\_\_\_\_, to be paid no later than

3 \_\_\_\_\_.

4  
5  
6 Dated:

7 \_\_\_\_\_  
8 United States District Court Magistrate Judge  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 PROOF OF SERVICE

2 [C.C.P. § 1013, C.R.C. § 2008, F.R.C.P. Rule 5]

3 I, Sharran L. Rodd, state:

4 I am a citizen of the United States. My business address is 2275 E. Bayshore Rd., Suite  
100, Palo Alto, CA 94303. I am employed in the City of Palo Alto and County of Santa Clara. I  
5 am over the age of eighteen years and not a party to this action. On the date set forth below, I  
caused to be served the foregoing documents described as:

6 [PROPOSED] ORDER RE PLAINTIFF WIFI RAIL, INC.'S MOTION TO REMAND

7 on the following persons in this action via email addressed as follows:

8 Adam Friedenber  
Lauren E. Wood  
9 Glynn & Finley, LLP  
One Walnut Creek Center  
10 100 Pringle Avenue, Suite 500  
Walnut Creek, CA 94596

11 Victoria R. Nuetzel  
12 San Francisco Bay Area Rapid Transit District  
Office of the General Counsel  
13 300 Lakeside Drive, 23<sup>rd</sup> Floor  
Oakland, CA 94612

14 : BY FIRST CLASS MAIL - I am readily familiar with my firm's practice for collection  
15 and processing of correspondence for mailing with the United States Postal Service, to-  
16 wit, that correspondence will be deposited with the United States Postal Service this same  
day in the ordinary course of business. I sealed said envelope and placed it for collection  
and mailing this date, following ordinary business practices.

17 : BY FACSIMILE - I caused said document to be transmitted by Facsimile machine to  
18 counsel at the numbers indicated after the address(es) noted above.

19 : BY HAND DELIVERY

20 : BY Federal Express

21 X: BY email IN THE FORM OF A PDF FILE

22 [ ] (STATE) I declare under penalty of perjury that the foregoing is true and correct.

23 [X ] (FEDERAL) I declare that I am employed in the office of a member of the bar of this  
24 court at whose direction the service was made.

25 Executed on April 20, 2018 at Palo Alto, California.

26 Sharran L. Rodd  
(Type or Print Name)

Signature 